



Patent
Attorney's Docket No. 0320-080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Brett R. KELTS) Group Art Unit: 2174
Application No.: 09/829,263) Examiner: Steven Sax
Filed: April 9, 2001)
For: INTERACTIVE CONTENT)
GUIDE FOR TELEVISION)
PROGRAMMING)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowability dated May 4, 2006, kindly enter the following comments into the record prior to issuance of the above-identified application as a patent. The Issue Fee is being paid herewith.

Initially, the undersigned would like to thank Examiner Sax for his courtesy and helpfulness during the interview held on March 29, 2006. Applicant appreciates the Notice of Allowability which issued as a result of that interview and the associated Examiner's Amendment. Nonetheless, the following comments are useful to clarify the complete record.

In the Examiner's statement of reasons for allowance, it is stated that "the Examiner's Amendment cancels the rejected claims and leaves only the claims that have the allowable subject matter and thus places the application into condition for allowance." While it is true that Applicant agreed to cancel the rejected claims 1-26 in order to expedite prosecution of this application, it is respectfully submitted that those claims also contain allowable subject matter. A continuation application will be filed in order to pursue that allowable subject matter.

Additionally, the Examiner's statement of reasons for allowance states that "additional claims are added that have the same limitations as the allowable claims, but merely drawn to different statutory categories." While it is true that the newly submitted independent claims have certain similarities both as between themselves and with respect to independent claim 27, it is respectfully submitted that there are wording differences between these independent claims which may (or may not) lead to a conclusion that their scopes differ. Thus, to the extent that one were to interpret this statement in the Examiner's reasons for allowance as concluding that the independent claims can necessarily be interpreted as having an identical scope under all fact situations, the undersigned respectfully disagrees and makes this comment for the record.

Respectfully submitted,

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